

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff,

Plaintiff,

v.

NATIONAL BANK OF KUWAIT AND
NBK BANQUE PRIVÉE (SUISSE) SA,

Defendants.

No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 11-02554 (CGM)

**NOTICE OF MOTION OF DEFENDANTS NATIONAL BANK OF KUWAIT
AND NBK BANQUE PRIVÉE (SUISSE) SA TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that, upon the memorandum of law in support of the motion of defendants National Bank of Kuwait and NBK Banque Privée (Suisse) SA (the “Defendants”) to dismiss the complaint attached hereto as an exhibit and all prior pleadings and proceedings herein, the Defendants will move this Court at 10:00 am prevailing local time on January 18, 2023, or at such other time as the Court may set, for an order dismissing the complaint pursuant to Federal Rules of Civil Procedure 8(a)(2) and 12(b)(6), as made applicable by Federal Rules of Bankruptcy Procedure

7008 and 7012.

PLEASE TAKE FURTHER NOTICE that the plaintiff must respond to this motion by November 14, 2022, and the Defendants must reply to any response by December 14, 2022.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, the Defendants do not consent to the entry of final orders or judgment by this court.

Dated: New York, NY
September 14, 2022

Respectfully submitted,

/s/ Richard A. Cirillo

Richard A. Cirillo

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